

Application No. 10/082,708

312 Amendment dated December 3, 2004

Reply to Notice of Allowance dated October 5, 2004

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AMENDMENTS TO SPECIFICATION

On page 32, please delete the first paragraph and replace as follows:

[0176] A deposit of the Harris Moran Seed Company proprietary garden bean cultivar named '210104' disclosed above and recited in the appended claims has been made with National Collections of Industrial Food and Marine Bacteria (NCIMB), 23 St. Machar Drive, Aberdeen, Scotland, AB24 3RY, United Kingdom. The date of deposit was November 8, 2004. The deposit of 2,500 seeds was taken from the same deposit maintained by Harris Moran Seed Company since prior to the filing date of this application. All restrictions upon the deposit have been removed, and the deposit is intended to meet all of the requirements of 37 C.F.R. §1.801-1.809. The NCIMB accession number for garden bean cultivar named '210104' is NCIMB 41260. The deposit will be maintained in the depository for a period of 30 years, or 5 years after the last request, or for the effective life of the patent, whichever is longer, and will be replaced as necessary during that period.